

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published September 18, 2007 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 25, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceeding:

Tuesday, September 25, 2007:

NG-0051/ Commission Hearing Room, Lincoln.
PI-130 In the Matter of the Commission, on its own motion, seeking
1:30 to investigate jurisdictional issues pertaining to construction and operation of a natural gas pipeline within the state of Nebraska by Nebraska Resources Company, LLC, or any other entity. Commissioner Johnson presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

AD-407r In the Matter of MedAssist, Inc., Louisville, Kentucky, seeking authority to register the connection of an automatic dialing-announcing device: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

C-3837 In the Matter of Cause Based Commerce Incorporated d/b/a The Sienna Group, Cincinnati, Ohio, seeking Transfer of Customer Base from PowerNet Global Communications, Fairfield, Ohio: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Gene Hand recommended that the Commission notify the Federal Communications Commission (FCC) that Nebraska meets or exceeds all of the minimum requirements for certification of its Telecommunication Relay Service: Motion made by Jerry Vap, seconded by Frank Landis, to notify the FCC that Nebraska meets or exceeds all of the minimum requirements for certification of its Telecommunication Relay Service. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3829 In the Matter of Qwest Corporation, Denver, Colorado, seeking approval of its revised statement of generally available terms (SGAT) pursuant to section 252(f) of the 1996 telecommunications act, previously granted in Docket C-3313: Gene Hand informed the Commission that Qwest filed a response to the Commission's letter extending the deadline for Commission consideration of the Qwest Performance Assurance Plan (QPAP) changes for another 60 days.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-029 In the Matter of the Commission, on its own motion, seeking to establish testing standards for the implementation of Enhanced Wireless 911: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting the waiver request of US Cellular regarding testing requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0007 In the Matter of the Tariff for natural gas service available in the entire territory served by Aquila, Inc., d/b/a Aquila Networks - Nebraska. Commissioner Landis presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order approving the tariff update filed August 20, 2007, to change the name of the "Streamline Plan" billing program to the "Budget Billing Plan;" and to change the way budget billing is computed commencing April 2008. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0051/
PI-130 In the Matter of the Commission, on its own motion, seeking to investigate jurisdictional issues pertaining to construction and operation of a natural gas pipeline within the state of Nebraska by Nebraska Resources Company, LLC, or any other entity. Commissioner Johnson presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting intervention. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

FC-1325 In the Matter of SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc. - Retail v. Panhandle Feeders, Inc., alleging proposed installation of duplicative and redundant natural gas facilities. Commissioner Vap presiding as Hearing Officer: Angela Melton discussed the Hearing Officer order entered September 24, 2007, to amend the procedural schedule and reschedule the hearing previously scheduled for November 28, 2007 to November 7, 2007, at 10:00 a.m. in the Commission Hearing Room, Lincoln.

NATURAL GAS DEPARTMENT (Cont.)

Angela Melton informed the Commission of the complaints received in August, 2007. She reported there were a total of 21 consumer complaints and inquiries: Aquila - 18 and SourceGas (Kinder Morgan) - 3.

TRANSPORTATION DEPARTMENT

B-1699 In the Matter of Count Cook, d/b/a Confidential Counseling Transportation, Omaha: The hearing previously scheduled for October 11, 2007, was continued to a date later to be determined.

B-1705 In the Matter of Champion Homes of Hastings, LLC, Hastings, seeking authority as a contract carrier in open class service in the transportation of passengers and their baggage that are clients of Champion Homes of Hastings, LLC, between points in Adams County, on the one hand, and on the other hand, points in Nebraska over irregular routes: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application as amended. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

DR-0001 In the Matter of a Petition for Declaratory Ruling of CUSA ES, LLC, d/b/a Express Shuttle, seeking a determination that the permit requirements of Neb. Rev. Stat. Sec. 75-309 do not apply to single-state transportation performed under contract of railroad train crews within the State of Nebraska if the train crews are traveling as a part of a continuous interstate movement: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order regarding the intrastate transportation of railroad train crews. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LR-283 In the Matter of Luxury Limousine Service, Syracuse, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

LR-284 In the Matter of Leisure Limousine and Sedan Service, Lincoln, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE, and Commissioner Anne Boyle voting NAY.

TRANSPORTATION DEPARTMENT (Cont.)

MR-930 In the Matter of Movers and Warehouse Division, Nebraska
 Motor Carriers Association, Lincoln, seeking authority to
 establish a fuel surcharge in Nebraska Official Goods Tariff 73: The
 fuel surcharge was increased to 82 cents per mile.

GENERAL ADMINISTRATION

 Motion made by Commissioner Tim Schram, seconded by Commis-
 sioner Frank Landis, to approve the Deputy Director's recommendation
 for approval of the following Commission invoices. Motion passed with
 Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
 Jerry Vap voting AYE.

Department of Roads	\$	786.75
Central Finance - Communications Billing		3,808.34
Larry Fauss		960.00
Anne Boyle		520.95
Gerald Vap		523.82

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM

Associated Hearing Health Care	287.90
Audiology Services and HAC PC	214.40
B Hear Inc	1,878.04
Beltone	2,646.60
Dynavox Systems Inc.	1,000.00
Grand Island Hearing Aid	302.00
Hearing Aid Center of Columbus	534.90
Carl A. Johnson	2,162.90
Johnson Hearing Aid Service	145.00
K-D Communications	3,564.40
League of Human Dignity	308.95
Professional Hearing Aid Services	619.80
Sherard Hearing Aid Center	1,755.80
Teltex	389.90
Hearing Clinic Inc	700.00
Weitbrecht Communications	406.50
Western ENT Associates	398.90
Whites Hearing Aid Specialists	1,044.75

 Motion made by Commissioner Frank Landis, seconded by Com-
 missioner Jerry Vap, to confirm the selection of Mike Hybl as the
 Executive Director. Motion passed with Commissioners Anne Boyle, Rod
 Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

GENERAL ADMINISTRATION (Cont.)

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to go into closed session for the purpose of protecting the public interest and discussing a pending Grain Warehouse investigation without revealing to the investigated party the Commission's plans or strategy with respect to that investigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission went into closed session at 10:30 a.m.

John Fecht updated the Commission on a pending grain warehouse investigation.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE. The Commission returned to open session at 10:44 a.m.

The meeting adjourned at 10:45 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. The next regularly scheduled meeting will be held on October 2, 2007, at 10:00 a.m. with an agenda to be available in the office of the Deputy Director at 10:00 a.m. on October 1, 2007.

Chairman

Deputy Director